

Not for Publication

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

THERESA DANTE; TED HUSS; JULIET HINRICHES; SAMANTHA OGGS; and MARGARET GATES

Plaintiffs,

v.

JOSEPH SCHWARTZ; ROSIE SCHWARTZ; SKYLINE HEALTH CARE, LLC; SKYLINE MANAGEMENT GROUP, LLC; CORNERSTONE QUALITY CARE, LLC; COTTONWOOD HEALTHCARE, LLC; FIRST LANDING INFORMATION SERVICES, LLC; and JACK JAFFA a/k/a CHAVA JAFFA.

Defendants.

Civil Action No. 20-01047

ORDER

John Michael Vazquez, U.S.D.J.

For the reasons discussed in the accompanying Opinion, and for good cause shown,

IT IS on this 13th day of April, 2022,

ORDERED that Defendant Jack Jaffa's motion to dismiss Plaintiffs Second Amended Complaint as against him, D.E. 38, is **GRANTED in part** and **DENIED in part**; and it is further

ORDERED that Defendant's motion to dismiss Plaintiffs' SDCPL claim (Count III), is

GRANTED without prejudice; and it is further

ORDERED that Defendant's motion to dismiss Plaintiffs' KCPA claim (Count IV), is

GRANTED without prejudice; and it is further

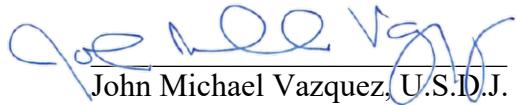
ORDERED that Defendant's motion to dismiss Plaintiffs' NCPA claim (Count V), is **GRANTED without prejudice**; and it is further

ORDERED that Defendant's motion to dismiss Plaintiffs' ADTPA claim (Count VII), is **GRANTED without prejudice**. However, Plaintiffs may only proceed with this claim on an individual basis; and it is further

ORDERED that Defendant's motion to dismiss Plaintiffs' breach of fiduciary duty claim (Count VIII), is **GRANTED without prejudice**; and it is further

ORDERED that Defendants' motion to dismiss is otherwise **DENIED**; and it is further

ORDERED that as to the claims dismissed without prejudice, Plaintiffs shall have thirty (30) days to file a third amended complaint that cures the deficiencies identified in the accompanying Opinion. If Plaintiffs fail to do so, those claims that were dismissed without prejudice will be dismissed with prejudice.



John Michael Vazquez, U.S.D.J.